

REMARKS

Claims 2 and 6-9 are all the claims pending in the application. Claims 6 and 7 are rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 2 is rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Claims 2 and 6-9 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by newly applied reference Reiter (U.S. Patent No. 6,224,002). Finally, claims 6-9 remain rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Asano, which was applied in the previous Office Action.

§ 112, first paragraph, Rejections - Claims 6 and 7

The Examiner rejects claims 6 and 7 under § 112, first paragraph, for the reasons set forth on pages 2-3 of the Office Action and in the *Response to Arguments* section of the Office Action on pages 3-5.

Although Applicant could traverse the Examiner's rejections of claims 6 and 7 under § 112, first paragraph, as similarly argued in the Amendment of January 6, 2003, in an effort to advance prosecution, Applicant amends claim 6, as indicated herein, and believes that the Examiner's rejections of claims 6 and 7 are obviated.

§ 112, second paragraph, Rejection - Claim 2

The Examiner rejects claim 2 for the reasons set forth on page 3 of the Office Action. The reasons given in the present Office Action are the same reasons that were given in the Office Action dated October 4, 2002.

In an effort to advance prosecution, Applicant amends claim 2, as indicated herein, and Applicant believes that this amendment obviates the Examiner's rejection of claim 2 under § 112, second paragraph.

§ 102(e) Rejections (Reiter) - Claims 2 and 6-9

The Examiner rejects claims 2 and 6-9 under § 102(e) for the reasons set forth on page 4 of the Office Action.

With respect to independent claim 2, Applicant amends this claim, as indicated herein, and submits that Reiter does not teach or suggest at least "said elastic member extending in a perpendicular direction away from said sleeve toward said core," as recited in claim 2. That is, the Examiner alleges that elastic member 35 of Reiter, which is actually a seal ring (*see col. 3, line 40*), corresponds to the claimed elastic member of claim 2, however the seal ring 35 of Reiter clearly does not extend in a perpendicular direction away from the alleged sleeve 33 (which is actually called a ring projection in Reiter) toward the tubular core 2 of Reiter. The seal ring 35 of Reiter only extends in a vertical direction towards a top portion of the fuel injection valve, but does not extend toward the core, as described in claim 2.

Also, with respect to claim 2, Applicant submits that Reiter does not teach or suggest at least "a buffer portion damping a change of fuel pressure caused by valve bounce when the needle is closed," as recited in claim 2. That is, as evident by its name, the seal ring 35 only performs a sealing function but does not dampen a change of fuel pressure caused by valve bounce as described in claim 2.

Therefore, at least based on the foregoing, Applicant submits that independent claim 2 is patentably distinguishable over Reiter.

With respect to independent claim 6, Applicant submits that Reiter does not teach or suggest at least “a buffer portion damping a change of fuel pressure caused by valve bounce when the needle is closed,” as similarly argued with respect to claim 2. Further, with respect to claim 6, Applicant submits that Reiter does not teach or suggest “wherein said buffer portion is located between said sleeve and a core of said fuel injection valve,” as recited in claim 6. That is, Reiter clearly does not show seal ring 35 between tubular core 2 and ring projection 33, which allegedly corresponds to the claimed sleeve. Therefore, at least based on the foregoing, Applicant submits that independent claim 6 is patentably distinguishable over Reiter.

Applicant submits that independent claim 7 is patentable for the same reasons set forth above for claim 6. With respect to claims 8 and 9, Applicant submits that these claims are patentable at least because Reiter does not teach or suggest at least “means for damping a change of fuel pressure caused by valve bounce when the needle as closed,” as similarly argued above with respect to claim 6.

§ 102(b) Rejections (Asano) - Claims 6-9

The Examiner rejects claims 6-9 over Asano for the same reasons as set forth in the previous two Office Actions. In response, Applicant maintains the same arguments set forth in the Amendments dated January 6, 2003 and July 19, 2002, and submits that claims 6-9 are patentable over Asano at least based on those previously submitted reasons.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLICATION NO. 09/413,348

ATTORNEY DOCKET NO. Q56091

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PATENT TRADEMARK OFFICE

Date: June 13, 2003

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Diallo T. Crenshaw", written over a horizontal line.

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